

Rule 92*bis* in PCT/CH04/00311 was filed with the RO/CH and granted by the International Bureau prior to the expiration of the 30 month period.

The declaration submitted on 12 September 2006 erroneously identifies Christian Jentgens, Kurt Lehmann and Donat Frei as co-inventors and thus is not in compliance with 37 CFR 1.497(a) and (b). If Christian Jentgens, Kurt Lehmann and Donat Frei were not accepted under PCT Rule 92*bis* as co-inventors, it is improper to accept the declaration identifying them as co-inventors.

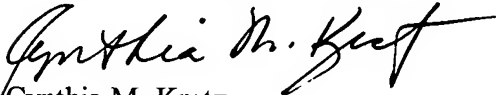
Applicant is advised to provide information regarding how the inventors were added to the international application, that is, Form PCT/IB/306. In the alternative, applicant may wish to consider filing a petition under 37 CFR 1.497(d) to add Christian Jentgens, Kurt Lehmann and Donat Frei as inventors in the U.S. national stage application.

CONCLUSION

The declaration executed by Christian Jentgens, Kurt Lehmann and Donat Frei as a joint inventors in the above referenced application is unacceptable and not in compliance with 37 CFR 1.497(a) and (b). A new declaration, in compliance with 37 CFR 1.497(a) and (b), and executed by the inventors as listed in the published international application, is required.

Applicant is advised that he must provide a complete response within the time limit of ONE month from the mail date of this decision. No extension of this time limit may be granted under 37 CFR 1.136 but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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